

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JULY 6, 1992
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:05 p.m. City Manager Jack McGrory announced that during the 111th Annual National Conference of Libraries in San Francisco, the Congressional Library Periodical reported that Ms. Shuman, President of the Conference of Libraries, named San Diego libraries as the best of the best in the Country. Deputy Mayor Roberts adjourned the meeting at 6:37 p.m. to meet in Closed Session on Tuesday, July 7, 1992, at 9:30 a.m. in the 12th Floor Conference Room to discuss pending and potential litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present

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- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-not present
- (5) Council Member Behr-not present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Thomas Simpson of the
Hispanic Presbyterian Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Hartley.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding Fractional Banking.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A037-063.)

ITEM-PC-2:

Comment by Mel Shapiro regarding the City's payroll and
budget for each department not appearing in the salary
ordinance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A064-110.)

ITEM-PC-3:

Comment by Daren Clare regarding curfew laws.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A113-119.)

ITEM-PC-4:

Comment by Art Salzberg urging the Council to support Mayor O'Connor in obtaining the \$6,000,000 of legal fees incurred during the SDG&E merger negotiations.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A122-135.)

COUNCIL COMMENT:

None.

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

6/15/92
6/16/92

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A155-157.)

MOTION BY ROBERTS TO APPROVE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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ITEM-31: (R-92-2099) ADOPTED AS RESOLUTION R-280259

Proclaiming July 1992 to be "Lesbian and Gay Archives Month" in San Diego; commending those who have given of themselves to preserve and share the history of the community; urging everyone to enjoy the many blessings of our societal diversity.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-240.)

MOTION BY HARTLEY TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: PRESENTED

Presentation to the Mayor and City Council regarding an anti-drug, anti-gang skit performed by a group of youngsters.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A241-448.)

ITEM-33: (R-92-2075) ADOPTED AS RESOLUTION R-280260

Declaring July 6, 1992 as PERL Day in San Diego, in honor of the many contributions by the Pacific Estuarine Research Laboratory (PERL) and Director Joy Zedler, Bruce Nyden, John Boland, Susan Williams, Barbara Kus, and Christopher Nordby.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A449-523.)

MOTION BY FILNER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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ITEM-34: (R-92-2115) ADOPTED AS RESOLUTION R-280261

Designating Monday, July 13, 1992, as "Gatorade
All-Star Workout Day" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A524-560.)

MOTION BY STALLINGS TO ADOPT. Second by McCarty. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-92-1850) ADOPTED AS RESOLUTION R-280262

Awarding a contract to Mc Bain Instruments and A.G.
Heinze, Inc. for the purchase of Microscopes for the
Marine Biology Laboratory for a total cost of
\$147,696.51, including tax; in the event a successful
bidder cannot deliver equipment meeting specifications,
the Purchasing Agent is authorized to terminate and
re-award to the next low responsible bidder;
authorizing the expenditure of not to exceed
\$147,696.51, from Department No. 700, Organization No.
7003, Object Account No. 6010, and Job Order No.
007301, for providing funds for said project and
related costs; authorizing the City Auditor and
Comptroller, upon advice from the administering
department, to transfer excess budgeted funds, if any,
to the appropriate reserves.

(BID-B2993/92)

Aud. Cert. 9201004.

FILE LOCATION: CONT - Purchase - Mc Bain Instruments and
A.G. Heinze, Inc. CONTFY93-1

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101:

Two actions relative to Parcel Map W.O. 650004:

(Mission Valley Community Area. District-6.)

Subitem-A: (R-92-2053) ADOPTED AS RESOLUTION R-280263

Approving Parcel Map W.O. 650004.

Subitem-B: (R-92-2052) ADOPTED AS RESOLUTION R-280264

Amending Item No. 4 of Resolution R-275476, dated
April 16, 1990, to extend the filing of the referenced
consolidation map from 18 months to 30 months.

FILE LOCATION: SUBD - Parcel Map, 11933, Parcels 1 & 2 & P/L
1109, por.

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-102: (R-92-2104) ADOPTED AS RESOLUTION R-280265

Granting an extension of time to May 16, 1993 to
Robinhood Homes, Inc., subdivider, to complete the
improvements required in Empire Centre Parcel 1.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988, the City
entered into a Subdivision Lien Agreement (Deferred Improvement
Agreement) with Otay Partners I and II, a California Limited
Partnership, for the deferral of construction of public
improvements for Empire Centre Parcel 1 for two years. The
agreement expired on May 16, 1990. On September 10, 1990 the
City Council granted an extension of time to May 16, 1992 in
which to begin the required improvements. The subdivider has
requested another extension of time to May 16, 1993 in which to
begin the required improvements. It is recommended that the time
extension be granted since the improvements to be delayed are not
necessary to serve adjacent developments or the general public.
The time extension is in accordance with Council Policy 600-21.

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FILE LOCATION: SUBD - Empire Centre Parcel 1

COUNCIL ACTION: (Tape location: B129-148.)

MOTION BY FILNER TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-103: (R-92-2105) ADOPTED AS RESOLUTION R-280266

Granting an extension of time to May 16, 1993 to Robinhood Homes, Inc., subdivider, to complete the improvements required in Empire Centre Parcel 2.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988, the City entered into a Subdivision Lien Agreement (Deferred Improvement Agreement) with Robinhood Homes, Inc., Barry J. Ross and Marlene L. Ross, Robert E. Casey, Jr. and Lisa L. Casey, John D. Casey and Susan E. Casey, Robert E. Casey and Patricia F. Casey, and Otay Partners I and II, for the deferral of construction of public improvements for Empire Centre Parcel 2 for two years. The agreement expired on May 16, 1990. On September 10, 1990 the City Council approved an amended agreement naming Robinhood Homes, Inc., a California Corporation, and Otay Partners I and II, a California Limited Partnership, as new owners, and granting an extension of time to May 16, 1992, in which to begin the required improvements. The subdivider has requested another extension of time to May 16, 1993 in which to begin the required improvements. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Empire Centre Parcel 2

COUNCIL ACTION: (Tape location: B129-148.)

MOTION BY FILNER TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-104: (R-92-2106) ADOPTED AS RESOLUTION R-280267

Granting an extension of time to May 16, 1993 to Robinhood Homes, Inc., subdivider, to complete the improvements required in Empire Centre Parcel 3.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988, the City entered into a Subdivision Lien Agreement (Deferred Improvement Agreement) with Robinhood Homes, Inc., Barry J. Ross and Marlene L. Ross, Robert E. Casey, Jr. and Lisa L. Casey, John D. Casey and Susan E. Casey, and Robert E. Casey and Patricia F. Casey, for the deferral of construction of public improvements for Empire Centre Parcel 3 for two years. The agreement expired on May 16, 1990. On September 10, 1990 the City Council approved an amended agreement naming Robinhood Homes, Inc., a California Corporation, as new owner, and granting an extension of time to May 16, 1992 in which to begin the required improvements. The subdivider has requested another extension of time to May 16, 1993 in which to begin the required improvements. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Empire Centre Parcel 3

COUNCIL ACTION: (Tape location: B129-148.)

MOTION BY FILNER TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-105: (R-92-2107) ADOPTED AS RESOLUTION R-280268

Granting an extension of time to May 16, 1993 to Robinhood Homes, Inc., subdivider, to complete the improvements required in Empire Centre Parcel 4.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988, the City entered into a Subdivision Lien Agreement (Deferred Improvement Agreement) with Robinhood Homes, Inc., Barry J. Ross and Marlene L. Ross, Robert E. Casey, Jr. and Lisa L. Casey, John D. Casey and Susan E. Casey, and Robert E. Casey and Patricia F. Casey,

for the deferral of construction of public improvements for Empire Centre Parcel 4 for two years. The agreement expired on May 16, 1990. On September 10, 1990 the City Council approved an amended agreement naming Robinhood Homes, Inc., a California Corporation, as new owner, and granting an extension of time to May 16, 1992 in which to begin the required improvements. The subdivider has requested another extension of time to May 16, 1993, in which to begin the required improvements. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Empire Centre Parcel 4

COUNCIL ACTION: (Tape location: B129-148.)

MOTION BY FILNER TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-106: (-92-2108) ADOPTED AS RESOLUTION R-280269

Granting an extension of time to May 16, 1993 to Robinhood Homes, Inc., subdivider, to complete the improvements required in Empire Centre Parcel 5.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988, the City entered into a Subdivision Lien Agreement (Deferred Improvement Agreement) with Robinhood Homes, Inc., Barry J. Ross and Marlene L. Ross, Robert E. Casey, Jr. and Lisa L. Casey, John D. Casey and Susan E. Casey, and Robert E. Casey and Patricia F. Casey, for the deferral of construction of public improvements for Empire Centre Parcel 5 for two years. The agreement expired on May 16, 1990. On September 10, 1990, the City Council approved an amended agreement naming Robinhood Homes, Inc., a California Corporation, as new owner, and granting an extension of time to May 16, 1992 in which to begin the required improvements. The subdivider has requested another extension of time to May 16, 1993 in which to begin the required improvements. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

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FILE LOCATION: SUBD - Empire Centre Parcel 5

COUNCIL ACTION: (Tape location: B129-148.)

MOTION BY FILNER TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-107: (R-92-2109) ADOPTED AS RESOLUTION R-280270

Granting an extension of time to May 16, 1993 to Robinhood Homes, Inc., subdivider, to complete the improvements required in Empire Centre Parcel 6.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988, the City entered into a Subdivision Lien Agreement (Deferred Improvement Agreement) with Robinhood Homes, Inc., Barry J. Ross and Marlene L. Ross, Robert E. Casey, Jr. and Lisa L. Casey, John D. Casey and Susan E. Casey, and Robert E. Casey and Patricia F. Casey, for the deferral of construction of public improvements for Empire Centre Parcel 6 for two years. The agreement expired on May 16, 1990. On September 10, 1990 the City Council approved an amended agreement naming Robinhood Homes, Inc., a California Corporation, as new owner, and granting an extension of time to May 16, 1992 in which to begin the required improvements. The subdivider has requested another extension of time to May 16, 1993 in which to begin the required improvements. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Empire Centre Parcel 6

COUNCIL ACTION: (Tape location: B129-148.)

MOTION BY FILNER TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-92-2113) ADOPTED AS RESOLUTION R-280271

Granting an extension of time to March 3, 1994 to Lusk-Smith/Mira Mesa North, subdivider, to complete the improvements required in Lusk Mira Mesa Business Park East I, Unit No. 3.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On February 3, 1986, the City entered into an agreement with Lusk-Smith/Mira Mesa North, a limited partnership, for the construction of public improvements for Lusk Mira Mesa Business Park East I, Unit No. 3. The agreement expired on February 3, 1988. On April 22, 1991, by City Council Resolution R-277735, an extension of time was granted until July 21, 1991. The subdivider has requested an extension of time to August 1, 1994 in which to complete the required improvements. The improvements are approximately 80 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Lusk Mira Mesa Business Park East I,
Unit No. 3

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-92-2110) ADOPTED AS RESOLUTION R-280272

Granting an extension of time to February 25, 1994 to Tierrasanta L-L Partnership, subdivider, to complete the improvements required in Tierrasanta Norte V Unit No. 1.

(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: On February 27, 1989, the City entered into an agreement with Tierrasanta L-L Partnership, a California general partnership, for the construction of public improvements for Tierrasanta Norte V Unit No. 1. The agreement expired on February 27, 1991. The subdivider has requested an extension of time to February 25, 1994 in which to complete the

required improvements. The improvements are approximately 90 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Tierrasanta Norte V Unit No. 1

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-92-2111) ADOPTED AS RESOLUTION R-280273

Granting an extension of time to February 25, 1994 to Tierrasanta L-L Partnership, subdivider, to complete the improvements required in Tierrasanta Norte V Unit No. 2.

(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: On November 13, 1989, the City entered into an agreement with Tierrasanta L-L Partnership, a California general partnership, for the construction of public improvements for Tierrasanta Norte V Unit 2. The agreement expired on November 13, 1991. The subdivider has requested an extension of time to February 25, 1994 in which to complete the required improvements. The improvements are approximately 90 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Tierrasanta Norte V Unit No. 2

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-92-2112) ADOPTED AS RESOLUTION R-280274

Granting an extension of time to February 25, 1994 to Tierrasanta L-L Partnership, subdivider, to complete the improvements required in Tierrasanta Norte VI Unit No. 1.

(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: On August 8, 1988, the City entered into an agreement with Tierrasanta L-L Partnership, a California general partnership, for the construction of public improvements for Tierrasanta Norte VI Unit 1. The agreement expired on August 8, 1990. The subdivider has requested an extension of time to February 25, 1994 in which to complete the required improvements. The improvements are approximately 93 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Tierrasanta Norte VI Unit No. 1

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-92-2135) ADOPTED AS RESOLUTION R-280275

Congratulating Ken and Faye Bensen on the occasion of their 50th wedding anniversary; designating Saturday, May 30, 1992 as "Ken and Faye Bensen Day" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-113: (R-92-2065) ADOPTED AS RESOLUTION R-280276

Authorizing the City Manager to expend through the San Diego Data Processing Corporation from the Federally Seized and Forfeited Assets Fund a total amount not to exceed \$550,000 for the purchase of a pilot automated reporting system and microcomputer equipment with accessories not to exceed \$300,000 and a pilot automated field reporting system not to exceed \$250,000.

CITY MANAGER SUPPORTING INFORMATION: Authorization for unbudgeted expenditures of \$550,000 is requested to further automate the Police Department's ability to perform its mission. The request includes \$250,000 for a pilot Automated Field Reporting System which will allow police officers to originate reports from the field on portable computers which would be downloaded for supervisory review and electronically transmitted to Records Division. This system has the potential for eliminating multiple handling of manually written reports and reducing the need for input of data from manual reports.

Funding is also requested for \$300,000 in unit-specific automation requests which will upgrade the Department's efficiency by streamlining workflow in units such as Domestic Violence, Licensing, Criminal Intelligence, Child Abuse and Auto Maintenance. The Department has prioritized its unit requests and will continue to do so as needs are identified which surpass available funding.

The source of funding is the Federally Seized and Forfeited Assets account (Fund 101320), which may only be expended for police purposes. The source of this money is confiscated assets of convicted drug offenders. Revenues to the fund have totalled \$2.5 million in FY 1992 versus an original budget projection of \$1.2 million.

Aud. Cert. 9200965.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B149-167.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-114: (R-92-2068) ADOPTED AS RESOLUTION R-280277

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$9,000 from PSD Fund No. 11660 and an amount not to exceed \$7,000 from PSD Fund No. 11670, to CIP-29-677.0, Recreation Center Security Lighting - Phase I;

Authorizing the expenditure of an amount not to exceed \$16,000 from CIP-29-677.0, Recreation Center Security Lighting - Phase I, consisting of \$9,000 from PSD Fund No. 11660 and \$7,000 from PSD Fund No. 11670, to supplement funds previously authorized in Resolution R-277935.

(Balboa Park, Southcrest, and Old San Diego Community Areas. Districts-2, 3, 4 and 8.)

CITY MANAGER SUPPORTING INFORMATION: This project provides security lighting at the following parks: Encanto Community Park, Golden Hill Community Park, Serra Museum Parking Lot in Presidio Park, Southcrest Community Park and Southeast Athletic Field. Building and pole mounted lights are being provided to supplement existing park lighting. Changed site conditions and construction related problems have caused the construction period to be longer than originally estimated. Increased engineering costs and construction change orders required an additional \$16,000 for this project.

Estimated Total Project Cost

	At Award	Completed
Professional Services	\$ 24,900	\$ 24,900
City Engineering	20,500	35,900
Construction	62,325	75,200
Contingencies	12,275	00
Total	\$120,000	\$136,000

Aud. Cert. 9200973.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B168-212.)

MOTION BY FILNER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-92-2051) ADOPTED AS RESOLUTION R-280278

Authorizing the City Auditor and Comptroller to transfer not to exceed \$7,000 from PSD Fund 11550 and \$40,000 from PSD Fund 17000 to CIP-29-533.0, Point Loma Community Park - Requirements;

Authorizing the expenditure of an amount not to exceed \$172,000 from CIP-29-533.0, Point Loma Community Park - Requirements, Fund 11550 (\$12,000) and Fund 17000 (\$160,000), to acquire 0.29 acres for the Point Loma Community Park.

(Point Loma Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Funds in the amount of \$172,000 are needed to acquire 0.29 acres to enlarge and enhance the entrance to the Point Loma Community Park. SDG&E has recently approved the sale of the property allowing for the acquisition and enhancement.

Aud. Cert. 9200966.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-116: (R-92-2095) ADOPTED AS RESOLUTION R-280279

Authorizing the City Manager to apply for and accept a Fuel Efficient Traffic Signal Management grant from the California Department of Transportation for the retiming of 81 traffic signals in six project areas.

(Carmel Mountain Ranch, Clairemont Mesa, Midway, Navajo, Serra Mesa, Uptown Community Areas. Districts-2, 3, 5, 6, and 7.)

CITY MANAGER SUPPORTING INFORMATION: The Fuel Efficient Traffic Signal Management (FETSIM) Grant Program, administered by the

California Department Transportation, provides funding to local agencies for the retiming of traffic signals. Traffic signal optimization has been cited as an effective means of reducing motor vehicle fuel consumption and exhaust emissions. Other benefits of traffic signal optimization include reduced stops, delays, and queuing. Six project areas totaling 81 traffic signals are included in the application for the 1993 cycle of the FETSIM program: The Hillcrest System (22 traffic signals), Clairemont Mesa Boulevard West System (14), Navajo Road System (13), Carmel Mountain Road System (11), Midway System (11), and the Convoy Street System (10). The FETSIM program is funded by an appropriation by the State Legislature of Petroleum Violation Escrow Account funds from the U.S. Department of Energy. The original ten-year appropriation covered the years 1983 to 1992, with approximately \$1 million available statewide each year. The 1993 FETSIM program is thus far limited to \$300,000 in funds left over from the original appropriation. An increase in the funds available for 1993, and the continuity of the FETSIM program in future years, is unknown pending legislative action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B213-220; C589-606.)

MOTION BY BEHR TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117: (R-92-2081) ADOPTED AS RESOLUTION R-280280

Authorizing the City Manager to request funding from SANDAG through the Debt Financing Program in an amount not to exceed \$5,500,000; authorizing the City Manager to execute any necessary documents relating to the receipts of the funds from SANDAG; certifying that the City of San Diego will be responsible for paying its proportionate share of the issuance costs and overall annual department service requirements of the SANDAG Debt Financing Program and that such costs shall be the first priority of the City of San Diego's annual allocation of TransNet revenues.

(Mission Valley, Navajo, and Tierrasanta Community Areas. Districts-6 and 7.)

CITY MANAGER SUPPORTING INFORMATION: The Capital Improvements Program indicates a budget of \$7,488,500 for Friars Road Bridge -

Widen Over San Diego River (CIP-53-046.0). Of this total, \$588,500 is budgeted from TransNet funds, \$6,100,000 from TransNet bond funds, and an estimated \$800,000 from State and Local Transportation Partnership Program (SLTPP). Because of a higher percentage of funds being available from SLTPP, this project is now eligible for \$1,400,000 from this fund source. Since no increase in the project's total is anticipated, the amount required to be provided by TransNet bond funds can therefore be reduced to \$5,500,000. The large majority of the \$5,500,000 will be utilized for the construction of this facility. A portion of this fund will be utilized to purchase the property required for right-of-way and for the mitigation of environmental impacts caused by this project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-118:

Two actions relative to the La Jolla Drive Pedestrian Bridge Improvement Agreement:

(Located westerly of La Jolla Village Drive and Genesee Avenue. University Community Area. District-1.)

Subitem-A: (R-92-2102) ADOPTED AS RESOLUTION R-280281

Authorizing the execution of an agreement with GSC Realty Corporation, for the construction of a pedestrian bridge over La Jolla Village Drive.

Subitem-B: (R-92-2103) ADOPTED AS RESOLUTION R-280282

Stating that the information contained in Environmental Mitigated Negative Declaration EMND-85-0783 has been reviewed and considered prior to approving the project.

CITY MANAGER SUPPORTING INFORMATION: On October 13, 1986, the City Council of the City of San Diego approved the Costa Verde Development Agreement with Guaranty Service Corporation (GSC) for Costa Verde Subdivision (OO-16732). Paragraph 7.1.4 of this agreement requires the construction of a pedestrian bridge over

La Jolla Village Drive west of Genesee Avenue, prior to the issuance of a building permit for the 1,600th residential dwelling unit within the boundary of the development agreement, or within seven years of the effective date of this agreement, whichever occurs first.

At the present time no residential units have been constructed in the Costa Verde Community, and the volume of pedestrian traffic does not warrant the construction of the pedestrian bridge. In order to construct the bridge described above, GSC must enter onto property on the north side of La Jolla Village Drive commonly referred to as Regents Park.

GSC is currently negotiating with the owners of Regents Park in order to determine the precise location of the bridge and to obtain adequate right-of-way for this construction. GSC is requesting to enter into a separate agreement with the City to extend the time of completion of the bridge to March 31, 1994, thus allowing it time to finalize negotiations with Regents Park. Execution of this agreement is recommended.

FILE LOCATION: MEET CONTFY93-1

COUNCIL ACTION: (Tape location: B221-229.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-92-2093) ADOPTED AS RESOLUTION R-280283

Authorizing the execution of an amendment to the agreement of January 28, 1991 with Luth & Turley, Inc., for the installation of grinder pumps and related hi-lining work on Desert View Drive; authorizing the expenditure of an amount not to exceed \$50,000 from the Sewer Revenue Fund No. 40012, for the purpose of providing funds for the project; authorizing the City Auditor and Comptroller to issue one check in an amount not to exceed \$50,000 made payable to Luth & Turley, Inc., for the above service.

(District-1.)

CITY MANAGER SUPPORTING INFORMATION: Recently earth movement has been occurring in the vicinity of Desert View Drive. The City has determined that the movement will render the sewer main

and the sewer laterals serving residences in Desert View Drive inoperable. As a result, it has been decided to remove the sewer main from service and install small electric grinder pumps on private laterals in the street. The underground portion of the lateral will be taken out of service, laterals will be kept above ground and will connect to a 2-inch pipe to be run alongside the gutter, and the sewage will be transported to a manhole to the north of Desert View Drive. The property owners were consulted and they all have agreed to this arrangement and have authorized the City to go ahead with the project. The City Attorney has advised that the Judge hearing the litigated case in which the City has tentatively settled for \$200,000 has inquired when the City plans to hi-line the affected residences and notes that any delays in doing so could influence the pending litigation. The firm of Luth & Turley, presently under City contract, has been assigned the job of hi-lining and placement of pumps.

Aud. Cert. 9200994.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-92-2080) ADOPTED AS RESOLUTION R-280284

Authorizing the execution of a lease agreement with Tishman Speyer PCA Partners for the purpose of extending the Fire Department's occupancy of its existing offices at 525 B Street, which lease shall have a term of 18 months ending November 30, 1993, with the leased premises consisting of approximately 36,000 square feet of office space and rent of \$1.35 per square foot; authorizing the proposed rental expenditure totalling \$583,297 for Fiscal Year 1992-93 from the Outside Office Space Rental, Account 60143 of General Fund 100.

(Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Fire Department occupies 36,006 square feet of office space at 525 B Street at a current rent of \$51,971 per month (\$1.44 sq.ft). The lease expired on 5/31/92 and is being held-over pending consideration

of an extension lease. The proposed lease is for a term of 18 months ending November 30, 1993 with the right to continue month-to-month thereafter, through February 29, 1994, at a rent of \$48,608.10 per month (\$1.35 sq.ft.) The extended lease is necessary until space in Executive Complex, designated for Fire Department's long-term use, can be vacated and built-out to the Fire Department's office requirements. The reduced rent is equivalent to rents now paid for City space at Executive Complex and Security Pacific Plaza.

Aud. Cert. 9200988.

FILE LOCATION: LEAS - Tishman Speyer PCA Partners
LEASFY93-1

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-121: (R-92-2050) ADOPTED AS RESOLUTION R-280285

Authorizing the execution of a lease agreement with the Gaslamp Quarter Foundation, for the William Heath Davis house at 401 Island Avenue.

(Gaslamp Quarter Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego received the William Heath Davis house as a donation in 1981 and granted use of the house to the Gaslamp Quarter Association now the Gaslamp Quarter Foundation (GQF) for meeting rooms, a historical museum and an office for the association once the house was relocated to the Gaslamp Quarter. The house was relocated to 401 Island Ave. in the Quarter in December, 1983. The City issued a right of entry permit to GQF in 1984 for occupancy of the house until a lease could be negotiated. In the ensuing years, the city and GQF negotiated the proposed lease agreement but encountered problems with the sewer and drainage system of the house which were repaired by the City. Also, GQF retained various law firms to negotiate an acceptable agreement with the City causing delay in lease negotiations. The City and GQF have now agreed to the terms and conditions of a lease. The lease will be for ten years with a five year option at a rental rate of \$600 per year. GQF will be responsible for interior maintenance of the house except the basement if it becomes

unusable because of drainage problems. Under the agreement, GQF will continue to use the house for meeting rooms, its museum and offices.

FILE LOCATION: LEAS - Gaslamp Quarter Foundation LEASFY93-1

COUNCIL ACTION: (Tape location: B230-267; C073-080.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-122: (R-92-2067) ADOPTED AS RESOLUTION R-280286

Authorizing the City Manager to execute a license agreement with Santa Fe Pacific Pipeline Partners, L.P., to install monitoring wells in the San Diego Jack Murphy Stadium parking lot.

(Mission Valley Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Located to the north of the San Diego Jack Murphy Stadium parking lot is the Mission Valley petroleum storage tank facility. The California Regional Water Quality Board has ordered the operators of the facility, Santa Fe Pacific Pipeline Partners, L.P. (SFPP), to further monitor the discharges from their facility. This monitoring will require SFPP to install two monitoring wells in the Stadium parking lot. The installation of these wells will not impact activities in the Stadium parking lot. A five year lease license agreement has been prepared for City Council approval which will permit the wells in the parking lot. SFPP will hold the City and Stadium harmless from all activities associated with the wells and any tests and monitoring that is performed.

FILE LOCATION: MEET CONTFY93-1

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150:

Two actions relative to the United States Olympic
Training Center Boathouse Lease - Lower Otay Reservoir:

(See City Manager Report CMR-92-206 and Legislative
Specialist Analysis PFR-92-6. Chula Vista Community
Area.)

Subitem-A: (R-92-2117 Rev.1) ADOPTED AS RESOLUTION
R-280287

Authorizing the execution of a lease agreement with
San Diego National Sports Training Foundation (the
local arm of the United States Olympic Committee), for
the development of a boathouse and dock facility on
Lower Otay Lake, at an initial annual rent of \$11,347,
and with an initial \$15,000 lake user fee.

Subitem-B: (R-92-2118 Rev.1) ADOPTED AS RESOLUTION
R-280288

Certifying that Environmental Impact Report EIR-90-01,
prepared by the City of Chula Vista as lead agency, has
been completed in compliance with the California
Environmental Quality Act of 1970, as amended, and
State guidelines, and has been reviewed and considered
by the Council.

COMMITTEE ACTION: Reviewed by PFR on 6/24/92. Recommendation to
approve the City Manager's recommendation to enter into the
proposed lease and certify the EIR. Districts 3, 5, 6 and 7
voted yea.

FILE LOCATION: LEAS - San Diego National Sports Training
Foundation/United States Olympic Committee
LEASFY93-1

COUNCIL ACTION: (Tape location: C151-580.)

MOTION BY STALLINGS TO ADOPT THE FINDINGS PREPARED BY THE
CITY OF CHULA VISTA AND AUTHORIZE THE EXECUTION OF THE LEASE
AGREEMENT.

COUNCIL MEMBER FILNER'S REQUEST TO AMEND THE LEASE AGREEMENT
BY ADDING SECTION 1.13 TO READ AS FOLLOWS WAS ACCEPTED:

LESSEE AND CITY WILL COOPERATE TO ASSURE THAT,
CONSISTENT WITH THE PRIMARY PURPOSE OF THE OLYMPIC
TRAINING CENTER BOATHOUSE AND COURSE, COMMUNITY ROWING

AND CANOE/KAYAK PROGRAMS WILL BE DEVELOPED AND
IMPLEMENTED AT THE FACILITIES ON LOWER OTAY RESERVOIR.

Second by Hartley. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-200: (R-92-2116) CONTINUED TO AUGUST 3, 1992

Approving in concept an Interim Emergency Shelter
Strategy.

FILE LOCATION:

COUNCIL ACTION: (Tape location: D013-F307.)

MOTION BY HARTLEY TO NOT SUPPORT THE CITY MANAGER'S REPORT
RECOMMENDATIONS ON THE 1550 MARKET STREET LOCATION AND
DIRECT THE CITY MANAGER TO DOCKET AND DECLARE A SHELTER
CRISIS UNDER STATE LAW-TITLE 2 CHAPTER 7.8 SHELTER CRISIS.
Second by Stevens. Passed by the following vote:
Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea,
Behr-not present, Stallings-yea, McCarty-nay, Filner-yea,
Mayor O'Connor-nay.

MOTION BY HARTLEY TO DIRECT THE CITY MANAGER TO FIND AN
ALTERNATIVE LOCATION FOR AN EMERGENCY SHELTER AFTER
DISCUSSION WITH BUSINESS, PROVIDERS AND HOMELESS ADVOCATES.
Second by Stevens. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-not present, Stallings-yea, McCarty-nay, Filner-yea,
Mayor O'Connor-yea.

MOTION BY HARTLEY TO DIRECT THE CITY MANAGER TO LOCATE ALL
POTENTIAL FUNDING SOURCES FOR A COMPREHENSIVE SHELTER
PROGRAM. Second by Stevens. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-not present, Stallings-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

MOTION BY HARTLEY TO DIRECT THE CITY MANAGER TO IDENTIFY AT
LEAST ONE SITE IN EACH COUNCIL DISTRICT FOR AN EMERGENCY
SHELTER LOCATION. Second by Stevens. Passed by the
following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea,
Stevens-yea, Behr-not present, Stallings-yea, McCarty-nay,
Filner-yea, Mayor O'Connor-yea.

MOTION BY HARTLEY TO REFER THE FOLLOWING SUGGESTED SITES TO
THE CITY MANAGER FOR EVALUATION:

- A) T.M. COBB BUILDING
- B) OLD POLICE STATION
- C) CAMP ELLIOT
- D) 2.91 ACRES/GAINES STREET EAST OF NAPA
- E) PARKING LOT AT SOUTH OF NAVAL HOSPITAL

Second by Stevens. Passed by the following vote:
Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea,
Behr-not present, Stallings-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-nay.

MOTION BY HARTLEY TO DIRECT THE CITY MANAGER TO REVIEW THE
POSSIBLE FUNDING ALTERNATIVES FOR THE CAFE 6000 PROGRAM AND
RETURN TO COUNCIL WITHIN A REASONABLE TIME. Second by
Stevens. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present,
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HARTLEY TO DIRECT THE CITY MANAGER TO REPORT BACK
TO COUNCIL ON AUGUST 3, 1992. Second by Stevens. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-92-2123) TRAILED TO JULY 7, 1992 A.M. DUE TO
LACK OF TIME

Authorizing the City Manager to establish a community
advisory body to advise the City Manager on the
development of the Neighborhood Pride and Protection
Program and related community quality of life issues.

(See City Manager Report CMR-92-217.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: F308-309.)

ITEM-202: CONTINUED TO JULY 20, 1992

Two actions relative to the Equal Opportunity
Contracting Program:

(See City Manager Report CMR-92-197.)

Subitem-A: (R-92-2121)

Approving the City Manager's recommendations on the Equal Opportunity Contracting Program to do the following: 1) Not to commission a disparity study; and 2) Not to convert the Minority Enterprise/Women Business Enterprise Program to an Economic Business Enterprise Program, as set forth in the City Manager's Report CMR-92-197, dated June 10, 1992.

Subitem-B: (R-92-2122)

Approving the recommendation of the Public Services and Safety Committee to do the following: 1) Commission a disparity study which includes the disabled community; 2) Maintain the Minority and Women Business Enterprise program intact with weighted criteria for MBE/WBE participation; 3) Empanel a Special Task Force to review the Minority/Women Business Enterprise Program; and 4) Request to investigate claims of fraudulent situations.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B091-095.)

MOTION BY BEHR TO CONTINUE TO JULY 20, 1992 FOR FURTHER REVIEW BY THE MINORITIES IN HIS DISTRICT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-93-7) ADOPTED AS RESOLUTION R-280289

Encouraging Time-Warner, Inc. to discontinue sale or marketing of music encouraging violence against police officers.

(Docketed at the request of Councilmember McCarty.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B272-C072.)

MOTION BY McCARTY TO ADOPT. Second by Roberts. Passed by

the following vote: Wolfsheimer-nay, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay,
McCarty-yea, Filner-not present, Mayor O'Connor-nay.

* ITEM-S401: (R-92-2119) ADOPTED AS RESOLUTION R-280290

A Resolution approved by the City Council in Closed Session on Tuesday, June 23, 1992 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Stevens-yea; Behr-yea; Stallings-not present; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$125,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to William Hudson, Jr. (Superior Court Case No. 635550, William Hudson, Jr. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$125,000 made payable to William Hudson, Jr. and his attorney of record, Alan M. Salkow, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes full and final payment of any and all claims against the City of San Diego by William Hudson, Jr. as a result of the incident on July 19, 1990.

Aud. Cert. 9201047.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B105-128.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-92-1578) ADOPTED AS RESOLUTION R-280291

(Continued from the meeting of June 29, 1992, Item 104, at the City Manager's request, to determine if the repairs are critical and if they could be deferred.)

Inviting bids for the Construction of Court Resurfacing Project - FY 91 and 92 on Work Order No. 445101; authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the City Auditor and Comptroller to transfer \$130,000 from General Fund 100 to the Allocated Reserve Fund 10001; authorizing the expenditure of \$230,000 from General Fund Allocated Reserve 10001, for the purpose of executing this contract and related costs. (BID-K3237/92)

(All Districts.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for repairs to existing multi-purpose courts at: Linda Vista Community Park, Mission Heights Neighborhood Park, Allied Gardens Community Park, Clay Neighborhood Park, Azalea Community Park, Serra Mesa Community Park, Silverwing Neighborhood Park, Martin Luther King Jr. School Fieldhouse/Turf, Murray Ridge Neighborhood Park, La Jolla Community Park, Santa Clara Point Recreation Center, Carmel Del Mar Neighborhood Park, Tecolote Community Park, as well as existing tennis courts at Murray Ridge Neighborhood Park, Serra Jr./Sr. High School, Mountain View Community Park and Santa Clara Point Recreation Center. The repairs may include patching, leveling, surfacing, sealing, color coating, and line striping as required by the project specifications. These repairs will maintain the courts for continued safe use by the public.

Aud. Cert. 9200970.

FILE LOCATION: W.O. 445101 CONT - ABC Construction Company, Inc. CONTFY93-1

COUNCIL ACTION: (Tape location: B105-128.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-92-2006) ADOPTED AS RESOLUTION R-280292

(Continued from the meeting of June 29, 1992, Item 106, at Councilmember Wolfsheimer's request, for further review.)

Granting an extension of time to June 30, 1994 to The Lomas Santa Fe Group, subdivider, to complete the improvements required for San Andres P.R.D. Unit No. 3.

(Via De La Valle Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On September 6, 1988, the City entered into an agreement with Lomas Santa Fe, Inc., now The Lomas Santa Fe Group, for the construction of public improvements for San Andres P.R.D. Unit No. 3. The agreement expired on September 6, 1990. The subdivider has requested an extension of time to June 30, 1994 in which to complete the required improvements. The improvements are approximately 90 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent development or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - San Andres P.R.D. Unit No. 3

COUNCIL ACTION: (Tape location: F310-484.)

MOTION BY WOLFSHEIMER TO GRANT THE EXTENSION OF TIME FOR ITEMS S403 AND S404 PROVIDING THE APPLICANT 1) TAKES CARE OF THE BRUSH IN THE AREA AND CLEANS UP THE HILLSIDE; AND 2) REINSTATES HIS LIABILITY INSURANCE SO THAT IT MATCHES THE TERM OF THE EXTENSION. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S404: (R-92-2007) ADOPTED AS RESOLUTION R-280293

(Continued from the meeting of June 29, 1992, Item 107, at Councilmember Wolfsheimer's request, for further review.)

Granting an extension of time to June 30, 1994 to The Lomas Santa Fe Group, subdivider, to complete the improvements required in San Andres P.R.D. Unit No. 4.

(Located northwesterly of Via De La Valle and San Andres Drive. Villa De La Valle Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On September 6, 1988, the City entered into an agreement with Lomas Santa Fe, Inc., now The Lomas Santa Fe Group, for the construction of public improvements

for San Andres P.R.D. Unit No. 4. The agreement expired on September 6, 1990. The subdivider has requested an extension of time to June 30, 1994 in which to complete the required improvements. The improvements are approximately 15 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - San Andres P.R.D. Unit No. 4

COUNCIL ACTION: (Tape location: F310-484.)

MOTION BY WOLFSHEIMER TO GRANT THE EXTENSION OF TIME FOR ITEMS S403 AND S404 PROVIDING THE APPLICANT 1) TAKES CARE OF THE BRUSH IN THE AREA AND CLEANS UP THE HILLSIDE; AND 2) REINSTATES HIS LIABILITY INSURANCE SO THAT IT MATCHES THE TERM OF THE EXTENSION. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S405: (R-92-1766) CONTINUED TO JULY 13, 1992

(Continued from the meeting of June 29, 1992, Item 117, at Councilmember Behr's request, for a report from the City Attorney providing an analysis on this position.)

Supporting the Massachusetts Water Resources Authority's position in Associated Builders and Contractors of Massachusetts/Rhode Island, et al. v. Massachusetts Water Resources Authority, et al. and the filing of a brief in support of that position by the National League of Cities and the National Conference of Mayors.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B096-104.)

MOTION BY ROBERTS TO CONTINUE TO JULY 13, 1992 FOR FURTHER REVIEW. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (R-92-2094) ADOPTED AS RESOLUTION R-280294

Authorizing the execution of an agreement with Alpha Project for the Homeless to operate the Neil Good Day Center for the Homeless in Fiscal Year 1993; authorizing the City Auditor and Comptroller to appropriate the budget of \$165,137.44 in contributions, and \$11,862.56 from interest earned on Fund 19620, for a total of \$177,000; accepting the generous contributions from the County of San Diego in the amount of \$25,000, from the Regional Task Force on the Homeless in the amount of \$13,437.44, and from the San Diego Housing Commission in the amount of \$126,700, contingent on the adoption of the Housing Commission Report by the Housing Commission Board and the Housing Authority; authorizing the expenditure of an amount not to exceed \$177,000, from Fund 19620, for the purpose of providing funds for this project.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Neil Good Day Center for the Homeless has been in operation since mid-September of 1991. The Center provides a wide range of services to San Diego's downtown homeless, including restrooms, showers, laundry facilities, storage, mail/message service, employment services, and public telephones.

The Center is currently open from 7:30 a.m. to 5:30 p.m. Monday through Friday, and from 8:00 a.m. to 2:00 p.m. on Saturdays and Sundays. The operation will be funded in part by private contributions, a grant from the County San Diego Housing Commission.

The cost for the FY '93 program is estimated to be \$177,000. Continued funding for the program was approved by the Public Services and Safety Committee on May 20, 1992.

Aud. Cert. 9300009.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: B105-128.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407:

In the matter of reconsideration of the City Council's action of June 22, 1992, Item S401, rejecting all bids received on May 7, 1992 and readvertising for bids for the Construction of Sewer Pump Station No. 17 Renovation on Work Order No. 171751, and authorizing the execution of a contract with the lowest responsible bidder. (BID-K3085/92A)

(Pacific Beach Community Area. District-2.)

Subitem-A: APPROVED

Suspending Rule 2 of the Permanent Rules of the Council (Municipal Code Section 22.0101) which requires that reconsideration of a docketed item occur on the same date that the item was acted upon by the City Council.

Subitem-B: APPROVED

A motion to reconsider the item.

Subitem-C: TRAILED TO JULY 7, 1992 2:00 P.M.

A motion to set the item for hearing.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B052-076; F485-G340.)

MOTION BY STALLINGS TO SUSPEND THE RULES. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO RECONSIDER THE ITEM. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by McCarty to award to the lowest bidder. Second by Roberts. No vote. Trailed to July 7, 1992, 2:00 p.m.

ITEM-S408: NOTED AND FILED

The matter of the San Diego Convention Center Food and Beverage Contract.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A158-180.)

MOTION BY FILNER TO NOTE AND FILE AT THE REQUEST OF THE CITY MANAGER. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-93-03) ADOPTED AS RESOLUTION R-280295

Naming July 12, 1992 as Ted Williams Day in the City of San Diego.

(Docketed at the request of Deputy Mayor Roberts.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A561-B051.)

MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at 6:37 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G342.)